

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

J.M.M., et al.,

Plaintiff(s),

vs.

ANDREA HERNANDEZ, et al.,

Defendant(s).

Case No. 2:14-cv-01197-JAD-NJK

ORDER CONTINUING  
SETTLEMENT CONFERENCE


On December 16, 2015, the undersigned set a settlement conference in this case for March 8, 2016. Docket No. 93. Since that time, the status of Plaintiffs' mother as their guardian and the role of Plaintiffs' current counsel in this case has become unclear. In particular, on December 16, 2015, Plaintiffs' counsel filed a motion for appointment of a guardian *ad litem*, indicating that Plaintiffs' mother failed to participate in the case sufficiently to protect the interests of Plaintiffs and, in fact, had sent an email firing Plaintiffs' counsel and seeking dismissal. *See, e.g.*, Docket No. 94 at 2, 8. Plaintiffs' counsel also represented that Plaintiffs' mother was potentially on the verge of losing her parental rights altogether, a determination that was set to be made at a hearing on December 30, 2015. *See id.* at 3. In light of that hearing, the undersigned denied without prejudice the motion for appointment of a guardian *ad litem* and instructed that it be refiled following the hearing. Docket No. 96. Rather than refile that motion, however, Plaintiffs' counsel instead filed an objection to the assigned district judge. Docket No. 97. Defendants have responded to that objection, and have also filed a motion seeking clarification as to who is representing Plaintiffs in this case and whether the case

1 will be dismissed in light of the apparent wishes of Plaintiffs' mother. Docket Nos. 98, 99. Plaintiffs'  
2 counsel's objections and Defendants' motion for clarification remain pending. As such, at this time it  
3 is unsettled whether the case will proceed and, if the case does proceed, whether Plaintiffs' mother will  
4 continue to act as their guardian and which attorney (if any) represents Plaintiffs.

5 In those circumstances, the Court **CONTINUES** the settlement conference to June 14, 2016.  
6 The parties shall submit settlement statements no later than June 7, 2016. All other requirements  
7 outlined in the order at Docket No. 93 remain in effect.

8 IT IS SO ORDERED.

9 DATED: February 12, 2016

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Nancy J. Koppe  
United States Magistrate Judge  
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